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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,589	11/02/2000	Deung-Mo Che	10156/015001	9144

7590 02/27/2002

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EXAMINER

ECHOLS, PERCY W

ART UNIT	PAPER NUMBER
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3726

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,589

Applicant(s)

CHE ET AL.

Examiner

P. W. Echols

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. Please provide the current status of Korean Application 97-66909 and the dates of any publications of the '909 application.

2. The disclosure is objected to because of the following informalities:

3. a) The last sentence on page 7 of the specification is not understood. In particular the use of "varying" is not understood.

b) The sentence extending from page 7 to page 8 is not understood. It is unclear as to what is meant by rolling the width to an amount corresponding to the thickness.

Appropriate correction is required.

4. The term "width rolling" is not understood.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 4 and 13-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) Claims 4 and 16, the term "width rolling" is not understood.

b) Claim 13, lines 7 and 12, the phrases, "of a first rolling" and "of a second rolling" are confusing. It appears the temperature would drop at least during the descaling and uncoiling.

c) Claim 13, lines 18 and 19, the use of "bar steels" is confusing. What makes a slab a "bar steel"?

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Passoni et al (5,430,930) in view of the comments in the specification.

Passoni teaches the process of cutting, heating, rolling, coiling, uncoiling and rolling. The specification teaches (page 8, lines 15-18) that heating before the second rolling allows the finishing mills to more easily roll the bars. It is well known that heating steel allows the steel to be deformed more easily. In view of the disclosure that the second heating causes no new or unexpected result, it is considered to have been an obvious matter of manufacturing expedience to provide a second heating in the process of Passoni et al. Limitations to temperatures and specific reductions are considered to be obvious matters of choice in the absence of disclosure of these limitations causing new or unexpected results. Official Notice is taken of welding slabs together to maintain continuous rolling. It would have been obvious to one of ordinary skill in the art to weld the slabs of Passoni together to allow for continuous rolling.

9. It is noted that the claims do not specify that sulfur is present and that temperatures are being maintained to prevent cracking. It is well known that sulfur causes cracking during rolling. It is considered to have been within the level of skill of the ordinary artisan to maintain conditions to prevent cracking during rolling. Yamada et

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al (4,709,572) (col. 1, lines 48-49) teaches that sulfur is known to cause cracking when rolling steel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to P. W. Echols whose telephone number is 703-308-1802. The examiner can normally be reached on 9-3 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1802.

pwe
February 25, 2002



P. W. Echols
Primary Examiner